

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE ESTABLISHMENT OF</b>	)	<b>ORDER APPROVING</b>
<b>SWITCHED ACCESS REVENUE</b>	)	<b>SETTLEMENT STIPULATION</b>
<b>REQUIREMENT FOR MIDSTATE</b>	)	<b>AND ORDER DISMISSING</b>
<b>COMMUNICATIONS, INC.</b>	)	<b>AND CLOSING DOCKET</b>
	)	<b>TC05-090</b>

On June 29, 2005, Midstate Communications, Inc. (Midstate) filed for approval by the Public Utilities Commission (Commission) its 2004 Intrastate Switched Access Cost Study. On August 26, 2005, Midstate filed an amended 2004 Intrastate Switched Access Cost Study.

On June 30, 2005, the Commission electronically transmitted notice of the filing and the intervention deadline of July 15, 2005, to interested individuals and entities. On September 1, 2005, the Commission received Petitions to Intervene from MCImetro Access Transmission Services, LLC (MCI) and Midcontinent Communications (Midcontinent). On September 16, 2005, the Commission received a Joint Answer of LECs to MCI and Midcontinent's Petitions to Intervene. On September 19, 2005, the Commission received a Petition to Intervene from AT&T Communications of the Midwest, Inc. (AT&T). On September 23, 2005, the Commission received a Joint Answer of LECs to AT&T's Petitions to Intervene. On September 26, 2005, the Commission received Staff's Response to MCI, Midcontinent and AT&T's Petitions to Intervene.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26-17.1, 49-1A-9, 49-31-12.6, 49-31-18, 49-31-19 and ARSD 20:10:01:15.02, 20:10:01:15.05, 20:10:27:07 and 20:10:27:08. At a regularly scheduled meeting of September 27, 2005, the Commission found that the Petitions to Intervene demonstrated good cause to grant intervention and unanimously voted to grant the Petitions to Intervene.

LECA, the Intervenors and Staff held several negotiating sessions in an effort to arrive at a joint and acceptable resolution of all of the outstanding cost study dockets. As a result of said negotiations, the outstanding issues in the 2004, 2005 and 2006 cost study dockets were resolved and the parties have entered into a Settlement Stipulation. On November 8, 2006, the parties filed the Settlement Stipulation with the Commission requesting approval of the stipulation.

At its regularly scheduled meeting of November 14, 2006, the Commission considered whether to approve the Settlement Stipulation and dismiss and close this docket. The Commission voted unanimously to approve the Settlement Stipulation and dismiss and close the docket. It is therefore

ORDERED, that the Settlement Stipulation is hereby approved and the docket is dismissed and closed.

Dated at Pierre, South Dakota, this 4<sup>th</sup> day of December, 2006.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Alaine Kelbo

Date: 12/6/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson  
DUSTIN M. JOHNSON, Commissioner

Gary Hanson  
GARY HANSON, Commissioner